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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

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JAN 22 2007

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCUMENT CONTROL

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IN THE MATTER OF THE PETITION OF DIECA
COMMUNICATIONS, INC., dba COVAD
COMMUNICATIONS COMPANY FOR
ARBITRATION OF AN INTERCONNECTION
AGREEMENT WITH QWEST CORPORATION.

DOCKET NO. T-03632A-04-0425
DOCKET NO. T-01051B-04-0425

PROCEDURAL ORDER

BY THE COMMISSION:

On June 8, 2004, DIECA Communications, Inc., dba Covad Communications Company ("Covad") filed with the Arizona Corporation Commission ("Commission") a Petition for Arbitration of a proposed interconnection agreement with Qwest Corporation ("Qwest") pursuant to A.A.C. R14-2-1505 and Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("the Act").

In Decision No. 68440 (February 2, 2006), the Commission issued its Opinion and Order in the Arbitration. Among other things, the Decision directed that a "further phase of this proceeding shall be instituted within 30 days to determine just and reasonable rates consistent with state and federal law" (*Id.* at 23).

On March 3, 2006, the Arbitrator conducted a telephonic procedural conference with counsel for Covad, Qwest, and Staff. As a result of the conference call, Qwest filed a Joint Motion for Extension of Time to Commence Further Phase to Determine Just and Reasonable Rates. The Joint Motion stated that Qwest and Covad were discussing rates that may be acceptable to both parties, and therefore requested an extension of the time period, until March 20, 2006, for initiating the further phase of this proceeding.

By Procedural Order issued March 3, 2006, the requested extension was granted until March 20, 2006.

On March 20, 2006, Qwest, Covad, and Staff filed a Second Joint Motion for Extension of Time to Commence Further Phase to Determine Just and Reasonable Rates. The parties stated that

1 they were continuing to engage in good faith negotiations in an attempt to resolve the further phase
2 issues and requested a further extension, until April 10, 2006, to complete those negotiations.

3 During a teleconference on November 8, 2006, Qwest and Covad indicated that they had
4 reached an agreement in principle regarding the "Phase 2" rates and, therefore, no additional hearings
5 were necessary. However, Staff believed a hearing regarding the Phase 2 issues should be conducted.

6 On November 20, 2006, the parties filed a Joint Motion for Continuance of Procedural
7 Conference. By Procedural Order issued November 29, 2006, a telephonic procedural conference
8 was rescheduled from November 20, 2006 to December 6, 2006.

9 During the December 6, 2006 telephonic procedural conference, Covad and Qwest stated that
10 a settlement had been reached that resolves the relevant issues and there is no need to pursue a
11 subsequent phase of this proceeding. However, Staff indicated that it does not believe the settlement
12 between and Covad and Qwest satisfies the intent of the Commission's prior Order. Following a
13 discussion, Covad and Qwest were directed to file a brief and a request for approval to amend their
14 interconnection agreement by December 22, 2006. Staff was ordered to file a reply by January 12,
15 2007.

16 On December 20, 2006, Covad and Qwest filed a Joint Brief Relating to Phase II Proceeding
17 and Requesting Approval of Amendment to Interconnection Agreement.

18 On January 12, 2007, Staff filed a Request for an Extension of Time. Staff seeks an extension
19 until January 24, 2007 to file a response to the Covad/Qwest filing due to the unavailability of the
20 Staff member responsible for this matter.

21 IT IS THEREFORE ORDERED that Staff's request for an extension of time is hereby
22 granted and Staff shall file, by January 24, 2007, its response to the December 20, 2006 joint filing of
23 Covad and Qwest.

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IT IS FURTHER ORDERED that the Arbitrator may rescind, alter, amend or waive any portion of this Procedural Order by subsequent Procedural Order.

Dated this 22nd day of January, 2007.



DWIGHT D. NODES
ARBITRATOR

Copies of the foregoing mailed/delivered this 22nd day of January, 2007 to:

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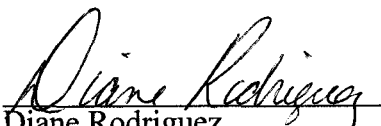
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